

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

KEITH MASSENGALE,)	
)	
Plaintiff,)	
)	
v.)	CV422-164
)	
MID-ATLANTIC FINANCE CO.,)	
INC., FBM TOWING, LLC,)	
and MVTRAC, LLC,)	
)	
Defendants.)	

ORDER

The Court previously directed Defendant FBM Towing, LLC to file a status report no later than July 22, 2024 updating the Court on its progress in paying the remaining settlement funds. Doc. 71. It complied, and filed a report indicating “the full amount of the Settlement has been paid by or on behalf of FBM such that no further monies are owed.” Doc. 72 at 1. The report further requests that the case be dismissed with prejudice and all pending motions be dismissed as moot. *Id.* at 1-2. Because this is a motions-driven Court, if the parties seek relief, ordinarily they must do so in a motion. *See* Fed. R. Civ. P. 7(b)(1). Additionally, while the Court might construe the submission as a

stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Defendant Mid-Atlantic Finance Co., Inc. does not appear to have signed the Joint Status Report. *See* doc. 72 at 2. Therefore, no later than July 26, 2024, the Plaintiff is **DIRECTED** to file a Rule 41(a) compliant stipulation of dismissal or motion to voluntarily dismiss this case. If he is unable, for whatever reason, to submit the stipulation or motion, the parties are **DIRECTED** to file a status report by no later than that date explaining any remaining obstacles to the resolution of this case.

SO ORDERED, this 23rd day of July, 2024.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA